

**APPENDIX A****Provisions of New York Insurance Law****"§ 148. INSURABLE INTEREST IN PROPERTY.**

"No contract or policy of insurance on property made or issued in this state, or made or issued upon any property in this state, shall be enforceable except for the benefit of some person having an insurable interest in the property insured. The term 'insurable interest,' as used in this section, shall be deemed to include any lawful and substantial economic interest in the safety or preservation of property from loss, destruction or pecuniary damage."

## APPENDIX B

### Provisions of New York Insurance Law

#### "§ 310. MEANING OF 'CASUALTY INSURANCE COMPANY' AND 'SURETY COMPANY'

"The term 'casualty insurance company' as used in this chapter shall include any company having power to do any one or more of the kinds of business specified in paragraphs seven, eight, nine, ten, eleven, thirteen, fourteen, fifteen, or seventeen of section forty-six. The term 'surety company' as used in this chapter shall include any company having power to do any one or more of the kinds of business specified in any of the sub-paragraphs of paragraph sixteen of section forty-six."

#### "§ 46. KINDS OF INSURANCE AUTHORIZED

"The kinds of insurance which may be authorized in this state, subject to the other provisions of this chapter, are set forth in the following paragraphs. Nothing herein contained shall require any insurer to insure every kind of risk which it is authorized to insure. The power to do any kind of insurance against loss of or damage to property shall include the power to insure all lawful interests in such property and to insure against loss of use and occupancy, rents and profits resulting therefrom; but no kind of insurance shall be deemed to include life insurance or insurance against legal liability for personal injury or death unless specified herein. In addition to any power to engage in any other kind of business than an insurance business which is specifically conferred by the provisions

of this chapter, any insurer authorized to do business in this state may engage in such other kind or kinds of business to the extent necessarily or properly incidental to the kind or kinds of insurance business which it is authorized to do in this state. Each of the following paragraphs indicates the scope of the kind of insurance business specified therein;

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“16. ‘Fidelity and surety insurance,’ meaning

“(a) Guaranteeing the fidelity of persons holding positions of public or private trust;

“(b) Becoming surety on, or guaranteeing the performance of, any lawful contract except the following: (1) A contract of indebtedness secured by title to, or mortgage upon, or interest in, real or personal property; (2) A bond or undertaking of the kind specified in subparagraph (c); (3) Any insurance contract except as authorized pursuant to section sixty;

“(c) Becoming surety on, or guaranteeing the performance of, bonds and undertakings required or permitted in all judicial proceedings or otherwise by law allowed, including surety bonds accepted by states and municipal authorities in lieu of deposits as security for the performance of insurance contracts;

“(d) Guaranteeing contracts of indebtedness secured by any title to, or interest in, real property, only to the extent required for the purpose of refunding, extending, refinancing, liquidating or salvaging obligations heretofore lawfully made and guaranteed;

"(e) Indemnifying banks, bankers, brokers, financial or monied corporations or associations against loss resulting from any cause of bills of exchange, notes, bonds, securities, evidences of debts, deeds, mortgages, warehouse receipts, or other valuable papers, documents, money, precious metals and articles made therefrom, jewelry, watches, necklaces, bracelets, gems, precious and semi-precious stones, including any loss while the same are being transported in armored motor vehicles, or by messenger, but not including any other risks of transportation or navigation; also against loss or damage to such an insured's premises, or to his furnishings, fixtures, equipment, safes and vaults therein, caused by burglary, robbery, theft, vandalism or malicious mischief, or any attempt thereat.

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"20. 'Marine insurance,' meaning insurance against any and all kinds of loss or damage to:

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"(b) Person or to property in connection with or appertaining to a marine, inland marine, transit or transportation insurance, including liability for loss of or damage to either, arising out of or in connection with the construction, repair, operation, maintenance or use of the subject matter of such insurance (but not including life insurance or surety bonds nor insurance against loss by reason of bodily injury to the person arising out of the ownership, maintenance or use of automobiles), and

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